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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of:  
Bruno Mombrinie

Serial No.: 09/692,083

Filed: 19 October 2000

For: TWO-PIECE BICYCLE CRANK SET

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: Group Art Unit: 3682  
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: Examiner: Vicky A. Johnson  
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Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE AFTER FINAL REJECTION

This is submitted in response to an unnumbered paper bearing a mailing date of 3 December 2002 in which the examiner levied a final rejection of the application, noting that claims 62 and 65 were, subject to claim 65 being rewritten in independent forms, allowed, claims 55 through 58, 62 through 64 and 66 were rejected and that claims 59, 60, 67 through 78 and 80 were withdrawn from consideration.

The examiner rejected claims 55 through 57, 62 through 64 and 66 under 35 U.S.C. 103 as being obvious and unpatentable in view of two references. The examiner further rejected

claims 58 under 35 U.S.C. 103 as being unpatentable in view of three references.

05/23/2003 GJOHNSON 00000001 501943 09692083  
01 FC:2201 42.00 CH

Adjustment date: 05/30/2003 GJOHNSON  
05/23/2003 GJOHNSON 00000001 501943 09692083  
01 FC:2201 42.00 LK

06/17/2003 PH2 160323-1 05/02/03 501943 09692083  
01 FC:2201 42.00 DA

00570.01101

Applicant traverses the rejections of the claims pending in the application and further traverses the restriction requirement levied by the examiner.

In an effort to move this application forward towards allowance and without prejudice to applicant's right to seek further prosecution in a subsequent continuation or divisional patent application, please cancel claims 55 through 58, 63, 64 and 66 from the application. ✓

Please rewrite claim 65 as shown on Attachment 1 hereto.

A clean copy of claim 65 as rewritten in independent form is included as Attachment 2 hereto.

For the examiner's convenience, a clean copy of claims 62 and 65 in their newly amended form, as representing the allowable claims currently in the application, are set forth as Attachment 3 hereto.

Applicant respectfully submits that the foregoing addresses all matters outstanding in connection with this application and that upon cancellation of the claims as requested above and rewriting of claim 65 as shown in Attachment 1, this application is in form for allowance. Notification of the same is respectfully solicited.

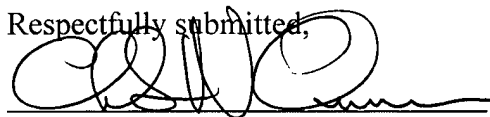
Applicant submits herewith a one-month time extension under 35 U.S.C. 1.136. In that regard, applicant notes that there is inconsistency in the outstanding official action as to whether the action was set to expire in one month from the mailing date of the communication or in three months from the mailing date of the communication. The one-month statement appears on the second page standard printed form of the official action while the three-month statement appears in the text of the official action as a part of the examiner's comments.

Applicant respectfully submits that the official action in question is appropriately viewed as an official action carrying with it a three-month response time. The basis for this is that the action contains not only a restriction requirement but also art-based rejections of the claims, which rejections are made final in the examiner's comments. This being the case, the relevant sections of the manual patent examining procedure indicate that an applicant should be afforded a three-month period to which to respond to such an official action. For this reason only a one-month time extension is tendered herewith.

Applicant respectfully submits that all matters concerning this application having been addressed, the application is in form for allowance and notification thereof is respectfully solicited.

Finally, applicant's undersigned counsel notes that a new attorney docket number has been assigned to this application. That docket number is 00570.01101. We respectfully request that the records of the United States Patent and Trademark Office be corrected so that this new attorney docket number appears on all correspondence concerning this application, all of which should continue to be sent to applicant's undersigned counsel of record at the address indicated.

Respectfully submitted,



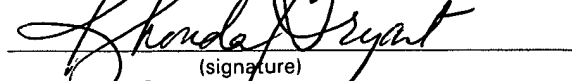
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**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

  
(signature)

BY: RHONDA BRYANT

DATE: MAY 2, 2003